

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ABU-ALI ABDUR' RAHMAN)	
)	
v.)	No. 3:96-0380
)	JUDGE CAMPBELL
RICKY BELL, Warden)	DEATH PENALTY

ORDER

Pending before the Court is Petitioner's motion for relief from judgment pursuant to Fed. R. Civ. P. 60(b). (Docket Nos. 254, 286). The Respondent has filed a Response in opposition to the Motion (Docket No. 318), and the Petitioner has filed a Reply (Docket No. 319). The Court held a hearing on the Motion on May 6, 2008. For the reasons set forth in the accompanying Memorandum, the Motion is GRANTED.

The Court certifies that this case involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from this Order and accompanying Memorandum may materially advance the ultimate termination of the litigation. 28 U.S.C. § 1292(b).

Unless a party seeks an interlocutory appeal, the Petitioner shall file a supplemental brief regarding the prosecutorial claims that are the subject of his 2001 Rule 60(b) Motion on or before June 6, 2008. The Respondent shall file any response on or before July 7, 2008. The Petitioner shall file any reply on or before July 22, 2008.

It is so ORDERED.



TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE